



TOWN OF BARRINGTON

NEW HAMPSHIRE

Office of the Town Administrator

Town Administrator Report July 13, 2020 Select Board Meeting

RSA 91-A Emergency Provisions

- As Chair of the Barrington Select Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the [Governor's Emergency Order #12](#) pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.
- Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:
 - Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:
 - We are utilizing Microsoft Teams for this electronic meeting. All members of the Select Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting.
 - **Phone Participation**
 - Dial [+1 603-664-0240](tel:+16036640240) and enter Conference ID: 748 817 934#
 - **Video Participation**
 - Click link: bit.ly/BarrSB200713
 - Providing public notice of the necessary information for accessing the meeting:
 - We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Microsoft Teams (Phone or Video). Instructions have also been provided on the website of the Town of Barrington at: www.barrington.nh.gov
 - Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:
 - If anybody has a problem, please call (603) 664-0146 or email at: administration@barrington.nh.gov
 - Adjourning the meeting if the public is unable to access the meeting:
 - In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.
- Please note that all votes that are taken during this meeting shall be done by roll call vote.
- Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

Remote Meeting Participation

- Teams Video Conference: bit.ly/BarrSB200713
- Call: [+1 603-664-0240](tel:+16036640240) (one-click link)
 - Conference ID: 748 817 934#



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1. Agenda

- a. See attached, [Agenda 2020-07-13](#)

2. Appointments

- a. 2020 Census Update – Rick Perrin – Discussion
 - i. 2020 Census Supervisory Partnership Specialist, Rick Perrin will present a brief update on the 2020 Census progress and Barrington’s participation rates.
- b. Karen Gould – Conservation Grants Application Request – **Vote**
 - i. Karen Gould owns a 131-acre parcel (Map 261, Lot 31) and a 30-acre parcel (Map 125, Lot 10) on Mendums Pond which she is interested in conserving. At the June 22nd meeting the Select Board briefly discussed the letter of support prepared by the Barrington Conservation Commission.
 1. See attached, [Conservation Commission Letter of Support - Gould Conservation – 200619](#)
 - ii. Karen Gould is interested in pursuing grants through the Drinking Water/Ground Water Trust Fund and Aquatic Resource Mitigation to support her conservation efforts. These grant opportunities must be applied for by a land trust, municipality, or public water system. Karen Gould is requesting the Town apply for these grants for her property. The conservation proposal would restrict public access.
 - iii. Karen Gould will participate in the meeting to make brief comments and be available for questions from the Select Board.
 - iv. The Select Board is asked to consider the pursuit of conservation grants for Karen Gould’s properties.
- c. Zoning Board of Adjustment – George Bailey – Full Member – Expiring March 31, 2021 – **Vote**
 - i. Mr. Bailey is currently an alternate. After five years on the Zoning Board, Meri Schmalz is resigning because of plans to leave Barrington. Her resignation is effective August 20th and Mr. Bailey’s appointment would begin on that date.
 1. See attached, [Meri Schmalz Resignation - 200617](#)
 2. See attached, [George Bailey Zoning Board Appointment](#)

3. Review of Minutes – **Vote**

- a. See attached, [Minutes 2020-06-22](#)



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4. Old Business

a. Home Gun Ranges Petition and Counter Petition – **Vote**

i. The Select Board is appreciative of the opportunity to review the issues raised by more than 2,100 concerned citizens regarding home gun ranges, noise, the environment, and safety. The Select Board took many steps to listen to concerned citizens, review the information presented, and follow up with legal counsel. A summary of the steps taken can be found below:

1. On [June 22nd](#), the Select Board invited the presentation of two locally generated petitions regarding home gun ranges. The Select Board listened thoughtfully and respectfully to both presentations from concerned citizens. The Select Board decided to postpone further action regarding the petitions until after a legal review of the subject matter was completed.
2. Early in the process, the Town reached out to municipal leaders across the State to hear how their communities have grappled with the concerns of residents relative to home gun ranges. The overwhelming response was that RSA 159:26 preempts any local action. In some communities, voters passed unenforceable ordinances by petitioned warrant article.
3. The Town met with the Hazardous Waste Remediation Bureau of the New Hampshire Department of Environmental Services (NHDES) to discuss the topic of home gun ranges. The primary objective of NHDES regarding contaminants is the protection of water and prevention of direct human contact. Regarding lead, the presence of lead fragments does not guarantee that lead has mobilized in the soils. The State publishes their [regulatory approach to commercial outdoor shooting ranges](#), which they encourage adherence to for private at-home gun ranges, but they do not have an enforcement role unless there is an impact to well water or opportunity to direct human contact. The Town has made the above-referenced guidance available on its website and encourages participation in the best-practiced identified. Any testing to demonstrate contamination must be conducted according to American Society for Testing and Materials (ASTM) standards.
4. The State and other organizations publish well water testing results across the entire State. Specifically, the State monitors lead levels in the well water of New Hampshire schools. The Town reviewed the reports available online and they do not indicate lead contamination in the Barrington wells tested.
5. The Conservation Commission identified a specific property in Barrington with potentially elevated lead levels. There is no credible evidence to suggest violation-level contamination exists on



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this property. The Select Board have contacted the property owner to inquire about their interest in a Phase 1 Environmental Site Assessment (ESA). The Town is awaiting a response from the property owner.

6. The activities of appointed volunteers conducting themselves on the Town's behalf were reviewed. It is imperative that the Town's interests be protected from unnecessary liability exposure by appointed individuals. The Select Board have discussed and will review the responsibilities and ethical approach to the work of appointed individuals.
7. A vacant parcel of private property in Town has seen an increased level of trespassing and gun use. The Town coordinated with the private property owner to implement best practices to prevent trespassing. The Barrington Police Department will be available to respond to trespassers reported on this property.
8. The Barrington Police Department is reviewing nationally developed curriculum for a gun safety program. This program would outline best practices for the safe use and handling of firearms.
9. The Town submitted both petitions and supporting materials to Town counsel for review.
 - a. See attached, [Home Gun Range Petition Legal Review – 2000708](#)
 - ii. The Select Board is asked to review the information provided and decide how to proceed.
- b. Province Road Improvements – **Vote**
 - i. At the June 22nd meeting, the Select Board discussed the addition of stone to Province Road which has historically been one of the most challenging gravel roads for Barrington to maintain. The Road Agent has consulted the paving contractor and received a quote of \$61,680 to blend stone 24 feet wide for the length of Province Road. There would be additional costs to bring in equipment to reconfigure the existing material and make the necessary adjustments to driveways as more material would make some impassible.
 - ii. The Road Agent had recommended core samples be collected in order to better understand the existing condition and determine the most productive path forward. The Select asked for the Highway crew to dig a test pit and make observations prior to pursuing core samples. Please review the Road Agent's analysis after performing the test pit.
 - iii. *The test pit that we dug showed a substantial depth of silty, fine material with very little in the way of larger rocks to provide any support, and*



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resistance to water saturation. Blending 6 inches of stone may work, but I have no personal experience with the process to be able to give a definitive yes or no answer. I personally would like another opinion from the engineers whether they think this would work or not.

- iv. *If we do this, and in the spring it proves to be successful, we need to really think about paving it, because it will all get pushed into the swamp with every plowing, and we will lose our investment quickly. I don't want to pave it any more than anyone else does, but it is a cut through road to get away from the Calef's intersection and will continue to get busier every day no matter what. If it was a dead-end road with just a few residents, I wouldn't condone doing anything to it other than us continuing to add straight stone to it when it gets muddy. So, in essence, my opinion is do it up, or do nothing. Also, we need to factor in a couple of days with a large grader and compactor to cut the grade to make sense relative to the existing driveways.*
- v. Additionally, a quote was received from SW Cole for test borings. Five borings ~500 feet apart and ~20 feet deep would cost \$3,500. The next phase would entail an assessment to identify the potential deficiencies and conceptual remediation options; this would cost \$2,000.
- vi. The Select Board is asked to consider how to proceed with improvements to Province Road.

c. Proposed Recreation Commission MOU Changes – **Vote**

- i. The Select Board and Recreation Commission will conduct a joint meeting on July 27th. An agenda item for this joint meeting will be the annual review of the Memorandum of Understanding (MOU). The Select Board has submitted suggested adjustments to the MOU for delivery to the Recreation Commission. The draft documents below reflect the proposed changes in redlined and 'clean' versions.
 - 1. See attached, [Recreation MOU Original - with Appendix - 2013](#)
 - 2. See attached, [Recreation MOU – Redlined – Updated – Draft – 200709](#)
 - 3. See attached, [Recreation MOU – Updated – Draft – 200709](#)
- ii. The Select Board is asked to consider approving the proposed changes to the Recreation Commission Memorandum of Understanding to be jointly discussed at the July 27th meeting.

d. Recreation Gym Fire Code Corrective Action Plan – **Vote**

- i. During a fire code review prior to pursuing a 1,500 sq. ft. addition, the Recreation Department was notified that the occupancy of the gym was dramatically reduced. The basis for the determination was the lack of proper fire separation between the Recreation gym and the food pantry space. The two separate uses require a two-hour fire separation.



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- ii. The Recreation Department is still evaluating plans for the addition and the fire wall and will be prepared to have further discussions/recommendations at the joint meeting on July 27th.
 - iii. In the meantime, the Fire Chief worked with the Fire Marshall's Office to consider what options were available which would allow continued use of the Recreation gym (at regular capacity) prior to completion of the fire wall. The Fire Marshall and Fire Chief agreed that a corrective action plan could be developed which would allow continued use if a commitment were made to satisfy the code requirements by a certain date.
 - iv. The Select Board are the ultimate decision-makers for all Town facilities and would need to agree to the corrective action plan. The Recreation Department has proposed that the code will be satisfied by August 31, 2021. The Fire Chief is comfortable with the timeline of the proposed corrective action plan.
 - v. The Select Board is asked to consider authorizing the corrective action plan to meet the code requirements in the facility at 105 Ramsdell Lane by August 31, 2021.
- e. Police Body-Worn Camera Request for Proposals Advertisement – **Vote**
- i. In March voters supported the Town operating budget which included funds to acquire body-worn cameras for the Police Department. Over the past few months, the Police Department has been working through policy development for the new technology.
 - ii. The Department is ready to advertise a request for proposals. The committee within the Police Department has worked closely with the primary equipment manufacturers for these cameras. These companies will simply need to update their proposals which were originally submitted during the information-gathering phase.
 - iii. The proposals would be due by July 22nd and a recommendation would be presented to the Select Board at the July 27th meeting.
 - iv. The Select Board is asked to authorize the advertisement of a request for proposals for body-worn cameras.
- f. Town of Barrington Services and COVID-19 (Novel Coronavirus) – Discussion
- i. Town officials are following all guidance from federal, state, and regional health organizations regarding the COVID-19 Coronavirus.
 - ii. All Departments are making the necessary adjustments to continue providing services with little or no public contact. In general, updated Town services information can be found at www.barrington.nh.gov/covid19. Please see below for specific guidance from various departments:
 - 1. See attached, [Police COVID-19 Operations Letter – 200317](#)
 - 2. See attached, [Transfer Station COVID-19 Operations Letter – 200324](#)



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3. See attached, [Recreation COVID-19 Operations Letter – 200317](#)
 4. See attached, [Recreation COVID-19 Summer Camp Notice](#)
 5. See attached, [Town Clerk COVID-19 Operations Letter – 200317](#)
 6. See attached, [Tax COVID-19 Operations Letter – 200317](#)
 7. Barrington Library Information: www.barringtonlibrary.com/
- iii. Staff developed a letter to residents which was included in the first half tax bill. The letter is available on the [Town's website](#).
 - iv. This is a rapidly evolving health crisis and we urge all residents to follow the guidance provided from federal, state, and regional health organizations. Updated information regarding the impact on Town of Barrington services can be found at www.barrington.nh.gov/covid19.
5. New Business
- a. Compliance Calendar – Discussion
 - i. This topic was raised at a recent Technology Committee meeting and Vice-Chair, Andy Knapp, requested this agenda item be added. A compliance calendar would organize and track the operational, expiration, and replacement deadlines within each department. Regarding technology and equipment purchases, the compliance calendar would monitor the replacement schedule and cost similar to how the Capital Improvements Program monitors large capital expenditures. Most departments also work on an annual schedule with internal and external deadlines; the compliance calendar would combine and organize those deadlines across departments. The compliance calendar would also be used to track contract and agreement expirations and the necessary closeout activities.
 - b. New Town Hall Update – Discussion
 - i. Progress is continuing on the new Town Hall project. Delays are currently being experienced due to the State approvals on the original subdivision. Construction activities cannot commence on the Town Hall lot until the larger subdivision is fully approved. Please review the timeline below regarding past and upcoming milestones.
 1. March 12, 2019: New Town Hall project received voter support.
 2. March through May 2019: The Select Board formulated and appointed members to the Town Hall Building Committee.
 3. May 29, 2019: The Town Hall Building Committee began meeting to develop a Request for Qualifications for the New Town Hall project.
 4. August 27, 2019: The Request for Qualifications was advertised.
 5. October 7, 2019: The Select Board supported the Town Hall Building Committee's recommendation to select Careno Construction as the design-build contractor for the new Town Hall project.



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6. October 2019 through March 2020: The contractor and Town Hall Building Committee developed and refined plans for the new Town Hall.
 7. April 21, 2020: The new Town Hall project received conditional approval from the Planning Board.
 8. May through July: The contractor has worked with the Town Hall Building Committee to finalize design development.
 9. Fall 2020 (anticipated): The original subdivision will be finalized, and construction activities can commence.
 10. Late Spring/Early Summer 2021 (anticipated): The new Town Hall project will be completed.
- c. 2020 Tax Deeding – Discussion
- i. Each year, the Tax Collector must present deeds to the Select Board for properties which have outstanding balances dating back three or more years. This process is prescribed in RSA 80:77. In 2020, a property will be eligible for tax-deeding if it has an unpaid balance on the 2017 lien.
 - ii. On April 3, 2020, the Governor issued Emergency Order #25 which extended the temporary prohibition on foreclosures as provided in Emergency Order #4 to include tax-deeding. On June 11, 2020, the Governor issued Emergency Order #51 which terminated Emergency Order #4 on July 1, 2020. As of July 2, 2020, municipalities may continue with tax-deeding as prescribed in RSA 80:77.
 - iii. The deed date for 2020 is scheduled for August 27, 2020. The Select Board will be presented a preliminary list of properties eligible for tax-deeding at the July 27th meeting. Additionally, staff will present a list of properties for which a deed-waiver is requested for an authorized reason (bankruptcy, contamination, etc.). The list will be updated for the August 10th meeting and the Select Board will be asked to finalize any decision regarding deed waivers at that time. The Select Board may be asked to consider last-minute adjustments at the August 24th meeting, but the process is intended to be completed at the August 10th meeting.
 - iv. Currently there are 47 properties eligible for tax-deeding (outstanding balance on 2017 lien). Six properties will require a deed waiver due to bankruptcy and contamination. 35 of the properties are consistently on the deeding list this time of year and typically pay prior to the deadline. The remaining six properties have been delinquent on their payment plans and would be tax-deeded if an outstanding 2017 lien balance remains on August 27th.
 - v. In addition to a report of the outstanding amounts owed and tax payment history, please let the Tax Collector know if any additional information is requested.



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- d. Stonehouse Pond Trash – Discussion
 - i. The Select Board has received complaints regarding the trash accumulating at Stonehouse Pond. Preliminary discussions have begun to identify the best way to address the problem. The Conservation Commission and Trails Committee will be discussing this topic at upcoming meetings.
 - ii. The primary stakeholders are: NH Fish and Game (owners of the property), Southeast Land Trust (SELT/owners of all abutting property), and the Town of Barrington. Southeast Land Trust was responsive to the concern and tries to assist NH Fish and Game, citing two collections this spring and many more last fall. NH Fish and Game was also responsive and recognized that their weekly maintenance visits are not sufficient to keep up with the trash accumulation. They do not have the resources to perform more than weekly maintenance visits.
 - iii. NH Fish and Game recognized that the issue has been increasing and an influx was experienced when non-angling visitors were attracted to the new hiking trail system. It is important to note that the NH Fish and Game property is available for angling activities; swimming is not an authorized use of the NH Fish and Game property.
 - iv. SELT and NH Fish and Game mentioned possible solutions including moving the gate and parking area away from the shoreline and adding trash barrels. The proposed solutions had benefits and concerns. Both organizations would be glad to have assistance from the Town in addressing the issue of trash at Stonehouse Pond.
 - v. I will share more information after the Conservation Commission and Trails Committee have had an opportunity to discuss the topic.

- e. Working Dog Foundation Grant Opportunity – **Vote**
 - i. As previously discussed, the Town’s most recent K9, Gypsy, has reached the end of her working life and has retired with her handler, Chief George Joy. The Select Board maintained the K9 operating budget line item in order to have funds available to place a deposit on a replacement K9.
 - ii. A grant opportunity exists with the Working Dog Foundation which would fund half (or more) of the purchase cost of a new K9.
 - 1. See attached, [Working Dog Foundation Grant Application](#)
 - iii. The Select Board is asked to consider authorizing the pursuit of this grant opportunity.

- f. Swains Lake Dam Drawdown Plan – **Vote**
 - i. Part of the duties and responsibilities of the Road Agent position is to be the Dam Monitor for the Swains Lake Dam. During the execution of these duties during draw-down in 2019, Marc Moreau identified multiple areas in need of improvement.



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1. One deficiency was deferred maintenance to the concrete portions of the dam. These repair activities were properly budgeted and is scheduled to be completed in October once the lake level is lowered.
 2. Another significant deficiency which caused delays in the 2019 draw-down is the deteriorating condition of the outfall culverts which pass under Lakeside Oaks Drive. The amount of water being let out of Swains Lake cannot reasonably exceed more than half of the culvert openings without threatening the structural integrity due to erosion. Staff are currently working on developing a plan for those failing culverts.
 3. The final major deficiency was that no Drawdown Plan exists to guide seasonal, flood-related, or emergency lake drawdowns. Coupled with the constraints of the Lakeside Oaks Drive culverts, this is a tremendous deficiency. This deficiency has been identified by the Dam Bureau of NHDES during their annual reviews.
- ii. The Road Agent reached out to multiple dam engineers in order to inquire about having a Drawdown Plan developed. Proposals/quotes were received from two firms:
 1. See attached, [Milone and Macbroom – Dam Plan Proposal](#)
 2. See attached, [Stephens Associates – Dam Plan Proposal](#)
 - iii. After review of the proposals/quotes and discussions with the firms, the Road Agent recommends proceeding with the low bid, Stephens Associates at a lump sum fee of \$8,900.
 - iv. The Town Dams-Gate Repair operating budget line (01-4339-01-4439) has \$10,500 available. The planned concrete repairs will cost \$5,030, leaving \$5,470 available. Pursuing the development of a Drawdown Plan would overspend this budget line by \$3,430.
 - v. The Select Board is asked to consider authorizing the over expenditure of the Town Dams-Gate Repair operating budget line in order to have a Drawdown Plan developed.
- g. Waive Highway Billing Policy – Fill Material to Cemetery – **Vote**
- i. The Highway Department has accumulated fill material (not limited-reuse-soils from ditch lines) which the Road Agent would like removed from the facility. The Cemetery is in need of fill for the future expansion of the cemetery. The Road Agent and Cemetery Trustees propose having the Highway Department truck the fill to the cemetery (as time allows) and spread to eliminate the earthen void at the cemetery expansion property.
 - ii. The Highway Billing Policy, as written, would require payment from the Cemetery Trustees for the work performed by the Highway Department. The proposed work is mutually beneficial, and we do not believe this meets the intent of the Highway Billing Policy.



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1. See attached, [Highway Billing Policy](#)
- iii. The Select Board is asked to consider waiving the Highway Billing Policy to allow the Highway Department to deliver and spread fill at the Cemetery without transfer of funds.
- h. Delinquent 2020 First Half Property Taxes – Discussion
 - i. As discussed at recent Select Board meetings, I am working with staff to closely monitor various revenue sources to best anticipate the financial impact of the COVID-19 economy. Property Tax revenue is fundamentally different than all other revenue sources because the amount collected does not directly impact the property tax rate. If the Town collects \$100,000 less than anticipated in motor vehicle registration revenue, that difference must be raised by property taxation through an increase in the property tax rate. Conversely, uncollected property tax revenue is simply carried forward. A primary purpose of the unassigned fund balance is to ensure cash flow if all the property tax revenue is not collected.
 - ii. Barrington typically experiences a delinquency rate of 5%; meaning, when each tax bill comes due, 5% of the warrant is uncollected by the due date. This delinquency dwindles to just over 1.5% (on average) by the time outstanding tax bills are converted to a lien (the following June). The 2019 delinquent taxes were converted to liens on June 24th; the amount converted to lien was slightly below average at 1.5% (indicating no change from typical). The first half 2020 property tax bills were due on July 6th. The delinquency rate on July 7th was 7.8%, a 50% increase from the eight-year average. The first half 2020 warrant represented \$12,822,749 and \$1,007,577 is currently delinquent. Interest on delinquent taxes is 8%.
 - iii. Property tax delinquency is just one of many important metrics to monitor. I will continue to keep the Board informed regarding other financial projects as we progress through the year.
- i. Fire/EMS Dispatch Contract – UNH Dispatch – **Vote**
 - i. The Fire Department (including ambulance) shares a frequency with Lee and Madbury which is dispatched by the UNH Dispatch Center in Durham. The dispatch services contract is typically one year. UNH performed an evaluation of the fee structure and made adjustments based on call volume for the communities which receive their dispatch services. This adjustment in fee calculation was advantageous to Barrington.
 - ii. The services contract runs from July 1st through June 30th; the 2019-2020 contract price was \$12,375. The 2020-2021 price is \$10,930. Additionally, UNH has offered a three-year contract which would lock in the contract price for the three years. The three-year contract would include a non-appropriation clause allowing the Select Board to enter into such an



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agreement. UNH anticipates a 5% annual increase for those communities on a one-year contract.

iii. The Select Board is asked to consider approving a three-year contract with UNH for dispatch services.

j. Barrington Women's Club – 100 Years Sign – **Vote**

i. The Barrington Women's Club was established in February of 1921. To honor their 100th anniversary, they are interested in installing a sign at the intersection of Route 9 and Route 125 to memorialize their contributions to the betterment of Barrington. This would be a sign similar to size and effect to rotary or mason signs seen in communities.

ii. Phyllis Lapointe of the Barrington Women's Club has coordinated with NHDOT to secure the necessary petitions. NHDOT is seeking the blessing of the Town prior to final approval of the sign placement

iii. The Select Board is asked to consider supporting the placement of a sign at Route 9 and Route 125 commemorating the 100th anniversary of the Barrington Women's Club.

6. June Work Anniversaries

a. Richard Walker Jr. • Fire Chief • 21 Years (position anniversary)

b. Jessica Tennis • Assistant Recreation Director • 15 Years

c. Seth Wentworth • Volunteer Fire/EMS • 10 Years

d. Marcia Gasses • Town Planner • 8 Years

e. Paul Haggemiller • Volunteer Fire/EMS • 6 Years

f. Payton Goodell • Deputy Tax Collector • 3 Years

7. 2020 Select Board Goals

a. See attached, [2020 Select Board Goals](#)

8. Upcoming Meetings/Events

a. July 27, 2020 – Select Board Meeting

b. August 10, 2020 – Select Board Meeting

c. August 24, 2020 – Select Board Meeting